

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NEW YORK

Case number *(if known)*

Chapter

11☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name The Phoenix Rises, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 90-0427414

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

934 East 51st Street
Brooklyn, NY 11203

Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP Code

Kings

County

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor **The Phoenix Rises, LLC**
Name

Case number (if known)

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☒ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☐ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **The Phoenix Rises, LLC**
Name

Case number (if known)

11. Why is the case filed in this district?*Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** (*Check all that apply.*)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____**Where is the property?** _____

Number, Street, City, State & ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☒ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **The Phoenix Rises, LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **April 19, 2018**
MM / DD / YYYY**X /s/ Mark Bobb**
Signature of authorized representative of debtor**Mark Bobb**
Printed nameTitle **Managing Member****18. Signature of attorney****X /s/ A. MITCHELL GREENE**
Signature of attorney for debtorDate **April 19, 2018**
MM / DD / YYYY**A. MITCHELL GREENE**
Printed name**ROBINSON BROG LEINWAND GREENE GENOVESE & GLUCK P.C.**
Firm name**875 THIRD AVENUE**
New York, NY 10022
Number, Street, City, State & ZIP Code

Contact phone _____ Email address _____

Bar number and State

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

-----X

In re:

Chapter 11

THE PHOENIX RISES, LLC,

Case No.:

Debtor.

-----X

AFFIRMATION PURSUANT TO LOCAL RULE 1007-2

Mark Bobb, affirms as follows:

1. I am the managing member of The Phoenix Rises, LLC (the “Debtor”), and am fully familiar with the facts set forth herein.
2. The Debtor owns the real property and improvements located at 934 E. 51st Street, Brooklyn, New York (the “Property”).
3. No pre-petition committee was organized prior to the Order for relief.
4. The Secured Creditors of the Debtor are as listed on Schedule D to the Petition.
5. A summary of the Debtor's assets and liabilities is set forth on the summary of schedules annexed to the petition.
6. The names and addresses of the twenty largest unsecured creditors, excluding insiders, appears on Schedule “A” to this affidavit.
7. All suits or proceedings in which the Debtor is named as a party are listed in the Debtor’s Statement of Financial Affairs.

8. The Debtor has filed a petition for relief to stay the auction sale of the Property.

THE PHOENIX RISES, LLC

By: /s/ Mark Bobb

MARK BOBB

MANAGING MEMBER

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

-----X

In re:

Chapter 11

THE PHOENIX RISES, LLC,

Case No.:

Debtor.

-----X

CERTIFICATION OF RESOLUTION

I, the undersigned, Mark Bobb, as managing member of The Phoenix Rises, LLC (the “Company”), do hereby certify that at a meeting of the Company duly called and held on **April 19, 2018**, the following resolutions were adopted and recorded in the Minute Book of the Company, and they have not been modified or rescinded, and are still in full force and effect:

“**RESOLVED**, that in the judgment of the Company it is desirable and in the best interest of the Company, its creditors, partners and other interested parties, that a petition be filed by the Company for relief under Chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”); and it is further

“**RESOLVED**, that the form of petition under Chapter 11 presented to this meeting is approved and adopted in all respects, and that Mark Bobb, as managing member of the Company, is authorized to execute and verify a petition substantially in such form and to cause the same to be filed with the United States Bankruptcy Court for the Eastern District of New York at such time as he shall determine; and it is further

“**RESOLVED**, that Mark Bobb, as managing member of the Company, is authorized to execute and file all petitions, reorganization schedules, lists and other papers and to take any and all other actions which he may deem necessary or proper in connection with such Chapter 11 case, and, in that connection, that the firm of Robinson Brog Leinwand Greene Genovese & Gluck P.C. be retained and employed as legal counsel for the Company under a general retainer, in addition to such special counsel as may hereafter become necessary or proper with a view to the successful conclusion of such Chapter 11 case.”

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Company this
19th day of **April, 2018**.

THE PHOENIX RISES, LLC

By: /s/ Mark Bobb
MARK BOBB
MANAGING MEMBER

**United States Bankruptcy Court
Eastern District of New York**

In re **The Phoenix Rises, LLC**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Date: **April 19, 2018****/s/ Mark Bobb****Mark Bobb/Managing Member**

Signer/Title

Date: **April 19, 2018****/s/ A. MITCHELL GREENE**

Signature of Attorney

A. MITCHELL GREENE**ROBINSON BROG LEINWAND GREENE GENOVESE & GLUCK
P.C.****875 THIRD AVENUE****New York, NY 10022**

Bank of New York
101 Barclay Street
New York, NY 10286

CORP. COUNSEL FOR NYC
100 CHURCH STREET
New York, NY 10007

INTERNAL REVENUE SERVICE
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Philadelphia, PA 19101-7346

Law Off. of F.J. Haupel
800 Westchester Ave.
Suite N-307
Port Chester, NY 10573

National Loan Investors
5619 N. Classen
Oklahoma City, OK 73118

NEW YORK STATE DEPT. OF F
ATTN: BANKRUPTCY SPECIAL
PO BOX 5300
Albany, NY 12205

NYC DEPT. OF FINANCE
345 ADAMS STREET, 3RD FL.
ATTN: LEGAL AFFAIRS
Brooklyn, NY 11201

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New York, NY 10005

Reimer & Braunstein LLP
Seven Times Square
Times Square Tower,
Suite 2506
New York, NY 10036

Small Business Admin.
333 North Canyons Parkway
Suite 100
Livermore, CA 94551

U.S. SBA
c/o US ATTY OFFICE - EDNY
271-A CADMAN PLAZA EAST
ATTN: Beth Schwartz
Brooklyn, NY 11201

US ATTY OFFICE - EDNY
BANKRUPTCY PROCESSING
271-A CADMAN PLAZA EAST
ATTN: ARTEMIS LEKAKIS
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